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EXAMINER


STERRETT, JONATHAN G

ART UNIT PAPER NUMBER

3623

DATE MAILED: 10/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/764,969	Applicant(s) OPENSHAW ET AL. 	
	Examiner Jonathan G. Sterrett	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

Detailed Action

Summary

Claims 1-17 are pending in the application.

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 7 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. Regarding claims 7 and 15, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086.

Regarding Claim 1, Libonati discloses interconnecting at least one precinct voting terminal having software (column 8 line 25, software running on the processor) with a plurality of touchtone telephone devices (Figure 5A - 200₁-

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200_n, multiple telephones up to "n" telephones accessing the system). Looking at least at Fig. 5A, it can be seen that Libonati's telephones contain microphones, receivers, transmitters, and entry keypads. Libonati discloses inputting the name of registered voters into a database (column 27 line 62-65, voter information including name, SSN, and voter registration number is entered into database 630 of system) in a central receiving and processing terminal wherein voter transactions are entered and recorded (Figure 5B – 610, processor which accesses a database 630 to store cumulative vote totals; see also column 32 line 6-8). Libonati discloses creating an audio ballot suitable for transmission over a telephone (column 30 line 60-65, announcement circuit plays audio message that recites a given menu and submenus of all available voting choices) and inputting a database which stores the audio ballot and instructions required (column 30 line 68 – column 31 line 2, database stores all offices and questions collectively being voted upon by all callers). Libonati discloses forming a link between the precinct voting computer and the central receiving and processing terminal to transmit voting election results (column 32 line 11-14, modem transmits election data from precinct terminal to computer at Board of Elections). Libonati discloses assigning voters a unique voter access number to use with their voter registration number (column 28, line 66-67, voter enters registration number and their Personal Identification Number or PIN) and qualifying and allowing voters to vote on the voter touchtone phones after they enter their registration number and voter access number (column 29 line 61-65, voters qualified to vote after system validates voter registration number and PIN). Libonati discloses talking the voter

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through the ballot (column 30 line 60-65, announcement circuit plays audio message that recites a given menu and submenus of all available voting choices; column 31 line 9-11, messages played for each different candidate, different office or different public questions), recording each voter's keypad response made on the touchtone phone (column 31 line 14-15, voter prompted to press a digit on keypad to indicate a candidate) in the precinct voting terminal database (column 32 line 7, cumulative vote totals are stored in a database, 630). Libonati discloses computer tabulation of all voter's choices to the audio ballot in the precinct voting terminal (column 32 line 6-8, 'raw peg counts' of votes tabulated within database 630) and transmitting the tabulated voter choices to the remote receiving and processing terminal (column 32 line 10-14, processor transfers raw vote count to Board of Elections for further tabulation). Libonati does not disclose using a virtual private network (VPN). Official notice is taken that it is well known in the art to incorporate such devices into a VPN for the purpose of ensuring security for sensitive data. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify the limitations of Claim 1, as disclosed by Libonati, to incorporate a VPN, for the purposes of having a secure voting system.

Regarding Claim 2, Libonati discloses all the limitations of Claim 1 above. Libonati also discloses manually voting by a voting official at the polling station (column 33, line 14-18, official can manually depress a switch to cause system to update an individual's vote, in the case of that individual voting manually). Libonati discloses this vote being input into the terminal database (Figure 5B,

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630, database for tabulating votes in Libonati's invention). Libonati does not teach a polling official hand tabulating the votes of hearing-impaired voters. Official Notice is taken that it is old and well known in the art given the Voting Accessibility for the Elderly and Handicapped Act of 1984 that assistance would be given to disabled or elderly voters, including counting the votes of those with hearing disabilities, since states are required to assist handicapped voters by federal law. It would be advantageous for local election officials to assist handicapped voters including those with hearing disabilities to hand tabulate their votes, if necessary, to be in compliance with federal law. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, as disclosed above, with hand tabulating the votes of hearing impaired voters and inputting them into the voting database, as disclosed by the 1984 Voting Accessibility Act, so that election officials can be in compliance with federal law.

Regarding Claim 3, Libonati discloses all the limitations of Claim 1 above. Libonati does not teach randomly assigning the order of the audio ballot. Official Notice is taken that it is well known in the art to randomize lists that are generated electronically, such as electronic ballot choices in this case, for the purpose of providing security to those who are recipient of those lists. Examples of this include the randomization of standardized test questions, randomization algorithms that are used to shuffle electronic playing card decks, and any electronic applications of cryptography that use randomization techniques to ensure security. Therefore it would have been obvious to one having ordinary

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skill in the art at the time of the invention to modify Libonati, as disclosed above, with generating the ballot selections in a random order, to better ensure voting anonymity and security.

Regarding Claim 6, Libonati discloses all the limitations of Claim 1 above. Libonati discloses summarizing the voter's choices for final review by the voter before the electronic ballot is included in the database (column 31 line 30-36, selections played back to voter to allow correction of an erroneous selection or vote). Libonati teaches this allows the voter to correct an erroneous selection or vote. Therefore it would have been obvious at the time of the invention to modify Libonati, as disclosed above, with summarizing the voter's choices for final review by the voter before the electronic ballot is included in the database, as taught by Libonati, for the purpose of ensuring more accurate voting by voters.

Regarding Claim 7, Libonati discloses all the limitations of Claim 1 above. Libonati discloses cross checking the voter database to find any incorrect information (column 30 line 3-6, system checks for mismatches). Libonati teaches that this helps prevent an unauthorized voter from voting (column 30 line 8-9, voter verified to determine if they are entitled to vote). Therefore it would have been obvious at the time of the invention to modify Libonati, as disclosed above, with cross checking the voter database to find any incorrect information, as taught by Libonati, for the purpose of preventing an unauthorized voter from voting.

6. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086, in view of Campbell et al. (U.S. National

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Science Foundation's Televote Project of 1974, Campbell, Vincent, www.televote.org/televote.htm, ERIC document number #ED107300, hereafter referred to as Reference A).

Regarding Claims 4 and 8, Libonati discloses all the limitations of Claims 1 above. Libonati does not teach printing the voter registration and voter access numbers on cards or slips, providing the voter with a number to call and obtain voter or upcoming election information. Campbell et al. discloses a televoter card with a unique televoter number (Reference A Paragraph A Line 1,4). It is obvious that the system receiving the televoter number associates that number with both the identity of the voter and their corresponding voter registration number. Campbell also discloses the voter using the number on the televoter card to call and check their voter information and obtain information about upcoming elections (Reference A Paragraph A Line 5, televoter given number on their card to call if they have questions). It is well known in the art that the central processing and receiving terminal, since it contains voter registration information, would be capable of printing the voter registration information, including the recipient's address, on paper or cards, for the purpose of sending it to the voter. Printing the voter registration information, including the recipient's address, and the voter registration number, voter access number and a 1-800 number on a card would help ensure voters would have these numbers readily accessible when they went to vote or if they needed to call and check registration information or obtain information about upcoming elections. Therefore it would have been obvious to one having ordinary skill in the art at the time of the

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invention to modify Libonati, as disclosed above, to provide a voter with a card containing: their voter registration number, voter access number and toll free number to check voter and upcoming election information, as taught by Campbell, for helping ensure voters would have these numbers readily accessible when they went to vote, or if they needed to call and check registration information or obtain information about upcoming elections.

7. Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086, as applied to Claim 1 above, and further in view of Challener et al. U.S. Patent 6,081,793.

Regarding Claim 5, Libonati discloses all the limitations of Claims 1 above. Libonati does not teach continually forwarding the ballot information from the precinct voting terminals database to the remote central receiving terminal. Challener et al. discloses continually forwarding the ballot information from the precinct voting terminals database to the remote central receiving terminal (Fig 1C; column 5 line 30-31, voting terminals on one network may be a considerable distance away from another connected LAN; column 8 line 48-50, ballot is added to election results by results server; column 5 line 48-49, system uses a distributed data processing system so objects stored/controlled/accessed across network). Challener et al. teaches that this helps improve security in an election and in providing results (column 2, line 4-7, objective is to provide security for tabulating election results). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, as disclosed above, to continually forward the ballot information from the precinct voting

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terminals database to the remote central receiving terminal, to help improve security in the election (as explained by Challener et al.).

8. Claims 9-11, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086 in view of Shaffer et al. U.S. Patent 5,901,214 and further in view of Michigan's Qualified Voter File Project hereafter referred to as QVF (National Conference of State Legislatures, www.ncsl.org/programs/legman/elect/taskfc/appB.htm, Appendix B, detailing implementation of QVF project prior to the 1998 voting cycle in Michigan, pp.1-5., hereafter referred to Reference C).

Regarding Claim 9, Libonati discloses interconnecting at least one precinct voting terminal having software (column 8 line 25, software running on the processor) with a plurality of touchtone telephone devices (Figure 5A - 200₁-200_n, multiple telephones up to "n" telephones accessing the system). Looking at least at Fig. 5A, it can be seen that Libonati's telephones contain microphones, receivers, transmitters, and entry keypads. Libonati discloses creating an audio ballot suitable for transmission over a telephone (column 30 line 60-65, announcement circuit plays audio message that recites a given menu and submenus of all available voting choices) and inputting a database which stores the audio ballot and instructions required (column 30 line 68 – column 31 line 2, database stores all offices and questions collectively being voted upon by all callers). Libonati discloses a precinct voting terminal in communication with the central receiving and processing terminal to transmit voting election results (column 32 line 11-14, modem transmits election data from precinct terminal to

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computer at Board of Elections). Libonati discloses inputting the name of registered voters into a database (column 27 line 62-65, voter information including name, SSN, and voter registration number is entered into database 630 of system) in a central receiving and processing terminal (Figure 5B – 610, processor which accesses a database 630 to store cumulative vote totals; see also column 32 line 6-8). Libonati discloses audio ballot questionnaire and voter tabulation software (column 8 line 35, system is run on software; column 30 line 60-65, announcement circuit plays audio message that recites a given menu and submenus of all available voting choices; column 31 line 9-11, messages played for each different candidate, different office or different public questions), for eliciting and counting voter ballot choices entered via the automated touchtone telephone devices (column 31 line 14-15, voter prompted to press a digit on keypad to indicate a candidate). Libonati discloses a database containing approved audio ballot and instructions (column 30 line 68 – column 31 line 2, database stores all offices and questions collectively being voted upon by all callers) inputted into each respective precinct voting terminal for transmission over the touchtone telephone devices to elicit voter choices (column 30 line 60-65, announcement circuit plays audio message that recites a given menu and submenus of all available voting choices; column 31 line 9-11, messages played for each different candidate, different office or different public questions).

Libonati discloses assigning voters a unique voter access number to use with their voter registration number (column 28, line 66-67, voter enters registration number and their Personal Identification Number or PIN), screening and allowing

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voters to vote on the voter touchtone phones after they enter their registration number and voter access number (column 29 line 61-65, voters qualified to vote after system validates voter registration number and PIN). Libonati discloses database tabulation of all voter's choices to the audio ballot in the precinct voting terminal (column 32 line 6-8, 'raw peg counts' of votes tabulated within database 630) and transmitting the tabulated voter choices to the remote receiving and processing terminal (column 32 line 10-14, processor transfers raw vote count to Board of Elections for further tabulation). Libonati discloses cross checking the voter database to find any incorrect information (column 30 line 3-6, system checks for mismatches). Libonati teaches that this helps prevent an unauthorized voter from voting (column 30 line 8-9, voter verified to determine if they are entitled to vote). Libonati does not disclose using a virtual private network (VPN). Official notice is taken that it is well known in the art to incorporate such devices into a virtual private network (VPN) for the purpose of ensuring security for sensitive data. Libonati does not disclose a power source to power the computer terminals, telephone devices and related equipment. Official Notice is taken that it is well known in the art that these devices are easily and readily connected to existing power sources, whether they be part of the existing facility (e.g. 110v service) or any one of readily available backup power sources. Since these devices would be communicating over a VPN, whose foundation is primarily a cryptographical construct, by definition their obvious power source would be associated with that VPN. Libonati does not disclose a method or apparatus for using software to screen and register voters and issuing voter

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registration numbers and voter access numbers. Libonati does not disclose a method or apparatus for using voice recognition software to recognize the audio response of a voter to record the audio response. Shaffer et al. teaches using voice recognition to translate caller-spoken numbers and words into textual or binary data (column 2 line 46-48, VRU's used for accurate, programmable translation of caller audio responses into data) for the purpose of polling or voting (column 27 line 14-15, real time tabulation of votes by callers) or eliciting opinions from the caller concerning products and services (column 4 line 46-52, information solicited from caller to provide better post call service). Shaffer et al. teaches that voice recognition devices can accurately translate caller-spoken numbers and words into textual or binary data for transfer into a network (Figure 2-242 / column 28 line 8, call data transmitted to an internet server) for the purpose of quickly handling a large volume of calls more quickly (column 1 line 47, increased volume of calls; column 1 line 51-53, companies using VRU's to handle increased volume). QVF teaches using software (Reference C Page 1 Paragraph C Line 2-3, UNIX based system is run on software) to screen and register voters (Reference C Page 1 Paragraph B Line 1-4, system comprises eliminating duplicate records, streamlining cancellation, performing record maintenance and issuing voter registration numbers). The QVF was implemented partially in response to the National Voter Registration Act of 1994 and the inefficiencies inherent in having decentralized voter registration (Reference C Page 1 Paragraph A Line 3-4) to improve the voter registration process in terms of: eliminating duplications, streamlining cancellations,

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eliminating time consuming record maintenance, eliminate errors and duplicative tasks and provide significant cost gains (Reference C Paragraph B, itemized list of all project advantages). QVF does not teach printing a unique voter access number. Official Notice is taken that it is well known in the art to use a comprehensive, computer based system running UNIXTM and containing an Oracle based server (Reference C Page 2 Paragraph C Line 2-3) such as QVF teaches, to create a unique voter access number for use for security purposes in voting, as taught by Libonati. Having a unique voter access number or PIN to use with a voter registration number would enhance security since both would be required by the system to enable voting. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, to utilize a VPN, to use a power source associated with that VPN, to use a voice recognition element, as disclosed by Shaffer et al., and to use software to screen, register voters and issue voter registration and voter access numbers, as disclosed by QVF, for the explicit reasons discussed therein above.

Regarding Claim 10, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati discloses manually voting by a voting official at the polling station (column 33, line 14-18, official can manually depress a switch to cause system to update an individual's vote, in the case of that individual voting manually). Libonati discloses this vote being input into the terminal database (Figure 5B, 630, database for tabulating votes in Libonati's invention) Libonati, Shaffer et al. and QVF do not teach a polling official hand

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tabulating the votes of hearing-impaired voters. Official Notice is taken that it is old and well known in the art given the Voting Accessibility for the Elderly and Handicapped Act of 1984 that assistance would be given to disabled or elderly voters, including counting the votes of those with hearing disabilities, since states are required to do this by federal law. It would be advantageous for local election officials to assist handicapped voters including those with hearing disabilities to hand tabulate their votes, if necessary, to be in compliance with federal law. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, with hand tabulating the votes of hearing impaired voters and inputting them into the voting database, as disclosed by the 1984 Voting Accessibility Act, so that election officials can be in compliance with federal law.

Regarding Claim 11, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati, Shaffer et al. and QVF do not teach randomly assigning the order of the audio ballot. Official Notice is taken that it is well known in the art to randomize lists that are generated electronically, such as electronic ballot choices in this case, for the purpose of providing security to those who are recipient of those lists. Examples of this include the randomization of standardized test questions, randomization algorithms that are used to shuffle electronic playing card decks, and any electronic applications of cryptography that use randomization techniques to ensure security. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, with

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generating the ballot selections in a random order, to better ensure voting anonymity and security.

Regarding Claim 14, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati also discloses summarizing the voter's choices for final review by the voter before the electronic ballot is included in the database (column 31 line 30-36, selections played back to voter to allow correction of an erroneous selection or vote). Libonati teaches this allows the voter to correct an erroneous selection or vote. Therefore it would have been obvious at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, with summarizing the voter's choices for final review by the voter before the electronic ballot is included in the database, as taught by Libonati, for the purpose of ensuring more accurate voting by voters.

Regarding Claim 15, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati also discloses cross checking the voter database to find any incorrect information (column 30 line 3-6, system checks for mismatches). Libonati teaches that this helps prevent an unauthorized voter from voting (column 30 line 8-9, voter verified to determine if they are entitled to vote). Therefore it would have been obvious at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, with cross checking the voter database to find any incorrect information, as taught by Libonati, for the purpose of preventing an unauthorized voter from voting.

Regarding Claim 17, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Shaffer et al. teaches using voice recognition to

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translate caller-spoken numbers and words into textual or binary data (column 2 line 46-48, VRU's used for accurate, programmable translation of caller audio responses into data) for the purpose of polling or voting (column 27 line 14-15, real time tabulation of votes by callers) or eliciting opinions from the caller concerning products and services (column 4 line 46-52, information solicited from caller to provide better post call service). Shaffer et al. teaches that voice recognition devices can accurately translate caller-spoken numbers and words into textual or binary data for transfer into a network (Figure 2-242 / column 28 line 8, call data transmitted to an internet server) for the purpose of quickly handling a large volume of calls more quickly (column 1 line 47, increased volume of calls; column 1 line 51-53, companies using VRU's to handle increased volume). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, with using a voice recognition element, as disclosed by Shaffer et al., for the purpose of accurately translating caller-spoken choices regarding their votes, into a data form for being transmitted into the voting system.

9. Claims 12 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086, in view of Shaffer et al. U.S. Patent 5,901,214 and further in view of QVF as applied to Claim 9 above, and further in view of Campbell et al. (US National Science Foundation's Televote Project of 1974, Campbell, Vincent, www.televote.org/televote.htm, ERIC document number #ED107300, hereafter referred to as Reference A).

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Regarding Claims 12 and 16, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati, Shaffer et al. and QVF do not teach printing the voter registration and voter access numbers on cards or slips, providing the voter with a number to call and obtain voter or upcoming election information. Campbell et al. discloses a televoter card with a unique televoter number (Reference A Paragraph A Line 1,4). It is obvious that the system receiving the televoter number associates that number with both the identity of the voter and their corresponding voter registration number. Campbell also discloses the voter using the number on the televoter card to call and check their voter information and obtain information about upcoming elections (Reference A Paragraph A Line 5, televoter given number to call on their card if they have questions). It is well known in the art that the central processing and receiving terminal, since it contains voter registration information, would be capable of printing the voter registration information on paper or cards, including the recipient's address for the purpose of sending it to the voter. Printing the voter registration information, including the voter registration and voter access numbers and a 1-800 number on a card would help ensure voters would have these numbers readily accessible when they went to vote, or if they needed to call and check registration information or obtain information about upcoming elections. Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, to provide a voter with a card containing: their voter registration number, voter access number and toll free number to check voter and upcoming

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election information, for helping ensure voters would have these numbers readily accessible when they went to vote, or if they needed to call and check registration information or obtain information about upcoming elections.

10. Claim 13 rejected under 35 U.S.C. 103(a) as being unpatentable over Libonati U.S. Patent 5,056,086, in view of Shaffer et al. U.S. Patent 5,901,214 and further in view of QVF, as applied to Claim 9 above, and further in view of Challener et al. U.S. Patent 6,081,793.

Regarding Claim 13, Libonati, Shaffer et al. and QVF disclose all the limitations of Claim 9 above. Libonati, Shaffer et al. and QVF do not teach continually forwarding the ballot information from the precinct voting terminals database to the remote central receiving terminal. Challener et al. discloses continually forwarding the ballot information from the precinct voting terminals database to the remote central receiving terminal (Fig 1C; column 5 line 30-31, voting terminals on one network may be a considerable distance away from another connected LAN; column 8 line 48-50, ballot is added to election results by results server; column 5 line 48-49, system uses a distributed data processing system so objects stored/controlled/accessed across network). Challener et al. teaches that this helps improve security in an election and in providing results (column 2, line 4-7, objective is to provide security for tabulating election results). Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to modify Libonati, Shaffer et al. and QVF, as disclosed above, to continually forward the ballot information from the precinct voting

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terminals database to the remote central receiving terminal, to help improve security in the election (as explained by Challener et al.).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jakobsson U.S. Patent 6,317,833 discloses an invention for encrypted voting on an electronic bulletin board. Weisser U.S. Patent 5,838,774 discloses a telephone polling method. Sehr U.S. Patent 5,875,432 discloses a computerized voting information system. Frederickson discloses a software product for election registration and management. The UK Independent discloses the first public telephone voting trial in the United Kingdom.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan G. Sterrett whose telephone number is 703-305-0550. The examiner can normally be reached on 8-6.

13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on 703-305-9643. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Susanna Diaz
Susanna Diaz
Primary Examiner
A.U. 3623